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SENT TO:

Carolyn

DATE SENT:

March 15, 2002

SUBJECT:

USSN - 09/429,331 Our Ref.: Page=1D

No. of pages (including this cover sheet):

125

FROM:

Lisa Staley for Iver Cooper

Remarks:

Attached are the following:

- 1) 2/20/01 Response to Sequence Listing...  
and postcard receipt;
- 2) 2/27/01 Suppl. Resp. to Sequence Listing...  
and postcard receipt.

## CONFIDENTIALITY NOTE

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If this transmission is not well received, please advise us at our telecopier no. 202-737-3528 or by e-mail at mail@browdyneimark.com, or call our voice telephone no. 202-628-5197.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: PAIGE et al

Application No.: 09/429,331

Filed: October 28, 1999

For: METHOD OF PREDICTING THE ABILITY OF ...

Art Unit: 1627

Examiner: T. Wessendorf

Washington, D.C.

Atty.'s Docket: PAIGE-1D

Date: February 20, 2001

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a ☐ Amendment ☒ Response to "Sequence Listing" Requirement with Sequence Listing and Disk and revised pages 239, 244-251, 266-268, 270, and 272

in the above-identified application.

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.☐ No additional fee is required.☒ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	0
INDEP.	*	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 40	\$
x 135	\$
ADDITIONAL FEE TOTAL	
	\$

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 80	\$
x 270	\$
TOTAL	
	\$

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity  
Response Filed Within

☐ First - \$ 55.00

☐ Second - \$ 185.00

☐ Third - \$ 445.00

☐ Fourth - \$ 695.00

Month After Time Period Set

Other Than Small Entity  
Response Filed Within

☐ First - \$ 110.00

☒ Second - \$ 390.00

☐ Third - \$ 890.00

☐ Fourth - \$ 1390.00

Month After Time Period Set

☐ Less fees (\$ ) already paid for month(s) extension of time on☐ Please charge my Deposit Account No. 02-4035 in the amount of \$.☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$390.00.☐ A check in the amount of \$ is attached (check no. ).☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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Iver P. Cooper  
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(NOVA)

APPLICANT(S): PAIGE et alAPPLICATION NO: 09/429,331DOCKET NO.: PAIGE-1D

CONF. NO: \_\_\_\_\_

THE PATENT AND TRADEMARK OFFICE STAMP  
HEREON ACKNOWLEDGES RECEIPT OF THE  
FOLLOWING PAPERS:

☒ FEES \$ 390.00☒ PTO FORM 2038 ☐ (CH. # \_\_\_\_\_)☒ EXTENSION OF TIME ( 2 MONTHS)☒ TRANSMITTAL LETTER☐ MISSING PARTS RESPONSE WITH DECL☐ AMENDMENT☐ PRELIMINARY ☐ SUPPLEMENTAL☒ REPLY TO OFFICE ACTION☐ RESTRICTION/ELECTION REPLY☒ SEQUENCE LISTING ☒ WITH DISK☐ RCE / CPA TRANSMITTAL (circle one)☐ NOTICE OF APPEAL☐ APPEAL BRIEF (TRIPLICATE)☐ REPLY BRIEF (TRIPLICATE)☒ OTHER revised pages 239, 244-251, 266-268, 270 and 272 ;  
copy of Notice to Comply

B&amp;N-2

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☐ ASSIGNMENT☐ INFORMATION DISCLOSURE STATEMENT☐ FORM 1449 & \_\_\_\_\_ PATENTS/PUBS☐ PRIORITY DOCUMENT(S) NO. \_\_\_\_\_☐ DECLARATION UNDER § \_\_\_\_\_☐ LETTER TO DRAFTSMAN☐ \_\_\_\_\_ SHEETS OF DRAWINGS☐ ISSUE FEE TRANSMITTAL FORM☐ MAINTENANCE FEE LETTER

HAND-CARRY

Application No.:

09/429331

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**